



# UNITED STATES PATENT AND TRADEMARK OFFICE

rd-  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,645	06/24/2003	Takaya Matsuishi	238486US2DIV	1282
22850	7590	05/18/2007	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			NGUYEN, MERILYN P	
1940 DUKE STREET			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314			2163	
NOTIFICATION DATE	DELIVERY MODE			
05/18/2007	ELECTRONIC			

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/601,645	MATSUISHI	
Examiner	<b>Art Unit</b>		
Merilyn P. Nguyen	2163		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 15 February 2007.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 55-69 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 55-69 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 24 June 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. 09632212.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_ .  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_ . 5)  Notice of Informal Patent Application  
6)  Other; *detailed action*.

***DETAILED ACTION***

1. In response to the communication dated 02/15/2007, claims 55-69 are pending in this office action.
2. This application is a Division of 09/632,212 filed on August 03, 2000 now patent number 6,782,387.

***Acknowledges***

3. Receipt is acknowledged of the following items from the Applicant:
  - The applicant's amendment has been considered and made of record.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 55, 60 and 65 rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claims 55, 60 and 65 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in the reply filed on 02/15/2007. In that paper, applicant has stated at page 10, "The correct result should be expressed as A couple B = C, and then A-1 couple A-2 = A, where as the result of the processing, A is renamed to A-1, B is renamed to A-2, and C is renamed to A. A and B are renamed based on the new name assigned to the result of the coupling of the document data" and this statement indicates that the invention is different from what is defined in the claim(s). For example, the claimed limitation of "a document name generating part

configured to determine a name of one of the plurality of document data used to create the first document data, to assign the determined name of one of the plurality of document data used to create the first document data to the first document data, and to rename the plurality of document data used to create the first document data so as to include the name assigned to the first document data” can be understood as A couple B = C and then the name of document C is set to be the name of document A as A couple B = A and then next step is renaming the plurality of document data (A&B) to include the name assigned to the first document data (now is A). The result of A couple B = C after processing would have been A couple A = A (or it can be AA couple AB = A), which would appear to be different from which applicant regard as invention because no way that the claim can product A-1 couple A-2 = A.

5. Claims 55-69 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 55, there is insufficient antecedent basis for “the document managing part” at line 6.

Regarding claims 57, there is insufficient antecedent basis for “the document data” at line

3. Does it mean “the plurality of document data”?

Regarding claims 57, 62 and 67, the claim recites, “wherein the document name generating part is further configured to use indexes indicating an order in the first document data, as the names of the plurality of document data from which the first document data is thus obtained” which renders the claim indefinite because it seems to be contradicted with the

limitation of claim 55. Claim 55 recites the name assigned to the first document data is used as the names of the plurality of document data used to create the first document data while claim 57 uses indexes as the names of the plurality document data. It is understood that the names of the plurality of document data is now renamed to numbers.

Regarding claim 62, there is insufficient antecedent basis for “the second document data” at line 2.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 55-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson (US 5,960,444), in view of Schloss (US 6,249,844).

Regarding claims 55, 60 and 65, Jackson discloses a document data handling apparatus for coupling a plurality of document data, wherein each of the plurality of document data includes a plurality of types of files (Fig. 1), said apparatus comprising:

- a document data coupling control part configured to control a document data coupling process in which the plurality of document data managed by the document managing part are coupled together to form first document data (see col. 3, lines 25-35); and

Jackson teaches a name generating part (See Fig. 3 and Fig. 7) to generate title information (See col. 4, lines 9-15) and bookfile name (See col. 7, lines 3-9). However, Jackson is silent as to teach assigning the name of one of the plurality of document data used to create the first document data to the first document data, and to rename the plurality of document data used to create the first document data so as to include the name assigned to the first document data. On the other hand, Schloss teaches a name creator for fragment document (See col. 7, line 29 to col. 8, line 3, Schloss et al.). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the name creator of Schloss into the system of Jackson to generate a document name of the first document data, the motivation would have been to enhance the ability of generating the document name at ease by having separate name creator software.

Jackson in incorporation with Schloss is silent as to assigning the name of one of the plurality of document data used to create the first document data to the first document data, and to rename the plurality of document data used to create the first document data so as to include the name assigned to the first document data. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to generate any name for documents, for example name of the first document and names of plurality of document data as instant invention, by changing filenames as desire and to assign the name of one of the plurality of document data used to create the first document data to the first document data, and to rename the plurality of document data used to create the first document data so as to include the name assigned to the first document data. The subjective interpretation of the names does not patentably distinguish the claimed invention. The motivation would have been to uniquely

identify the related document data by renaming all the names of document data in an easy managed and recognized format.

Regarding claims 56, 61, and 66, Jackson/Schloss discloses manage correspondence between the document name of the first document data and the names of the plurality of document data from which the first document data is thus obtained (See col. 4, line 58-67 and col. 5, lines 41-55, Jackson et al.).

Regarding claims 57, 62 and 67, Jackson/Schloss discloses wherein the document name generating part is further configured to use indexes indicating an order in the first document data as the names of the plurality of document data from which the first document data is thus obtained (See col. 5, line 38 to col. 6, line 15, Jackson et al.).

Regarding claims 58, 63 and 68, Jackson/Schloss discloses wherein the document coupling control part is further configured to control, upon coupling document data together, an order of the plurality of document data from which the first document data is thus obtained (See col. 5, line 38 to col. 6, line 15, Jackson et al.).

Regarding claims 59, 64 and 69, Jackson/Schloss discloses a display control part configured to display a page through which an instruction by a user for coupling document data together is received (See Figs 2-6, Jackson et al.).

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MN  
November 8, 2006

  
DON WONG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100